

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,

v.

ANTONIO P. SMITH,  
Defendant.

NO. CR18-246RSL  
NO. CR18-012RSL

**(PROPOSED) ORDER EXTENDING  
COMMITMENT FOR RESTORATION  
TREATMENT**

THE COURT, having reviewed the report, dated August 16, 2019, prepared by Gillespie Wadsworth, Psy.D., and Mariya Leyderman, M.A., and having previously reviewed the other materials submitted in this matter, including the competency evaluation prepared by Dr. Ryan Nybo, Psy.D, dated February 4, 2019, hereby finds that the requirements of 18 U.S.C. § 4241(d)(2)(A) are satisfied, *i.e.*, there is a substantial probability that the defendant will attain the capacity to permit the proceedings to go forward, given the improvement in his mental condition.

The COURT orders that the defendant remain in the custody of the Attorney General for an additional 120 days from the date his last evaluation period expired, *i.e.*, he shall remain in custody until December 26, 2019. The conditions of treatment shall be subject to the same restrictions and conditions set forth in the Court's Order, dated

1 February 22, 2019. The Bureau of Prisons shall have an additional 14 working days after  
2 the extended evaluation period to submit a final report to the Court.

3 IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 3161(h)(1) and (h)(4), that  
4 the period of delay resulting from the commitment period and other proceedings related  
5 to the defendant's mental competency, including any time leading up to and including the  
6 Court's hearing concerning defendant's competency following examination and  
7 treatment, shall be excluded in the computation of time under the Speedy Trial Act, 18  
8 U.S.C. § 3161 *et al.*

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10 DATED this 23<sup>rd</sup> day of September, 2019.

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13 HON. ROBERT S. LASNIK  
14 United States District Court Judge

15  
16 Presented by:

17 s/ Thomas M. Woods

18 THOMAS M. WOODS  
19 Assisted United States Attorney